

U.S.S.N. 09/378,261
Filed: August 20, 1999
AMENDMENT

C/activated protein C receptor comprising administering to a patient in need of treatment thereof an amount of a compound blocking binding of protein C or activated protein C to the receptor by binding to the endothelial cell protein C/activated protein C receptor.

[Tumors]

Please add the following new claims:

24. The method of claim 16 wherein the compound is an antibody or antibody fragment immunoreactive with the receptor.

25. The method of claim 24 wherein the antibody is humanized.

26. The method of claim 16 wherein the compound is labeled.

27. The method of claim 16 wherein the compound is an oligonucleotide.

28. The method of claim 16 wherein the compound is a receptor fragment.

29. The method of claim 16 wherein the compound is combined with a pharmaceutically acceptable carrier.

30. The method of claim 16 wherein the compound is administered in an amount effective to enhance an inflammatory response involving blocking of protein C or activated protein C binding to an endothelial cell protein C/activated protein C receptor.

Remarks

New Claims

New claims have been added to more specific embodiments of the method of claim 16. Claim 24 is where the compound is an antibody or antibody fragment immunoreactive with the receptor; claim 25 is where the antibody is humanized (page 22); claim 26 is where the compound is labeled (page 19, lines 23-34); claim 27 is where the compound is an oligonucleotide (pages 29-31); claim 28 is where the compound is a

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receptor fragment (page 32); claim 29 is where the compound is combined with a pharmaceutically acceptable carrier (page 23, lines 14-23). Claim 30 defines an effective amount in terms of the function to be achieved (i.e., reiterates the preamble of claim 16).

Sequence Listing

A response to the notice that a sequence listing is required accompanies this response.

Double Patenting Rejection.

Claims 16 and 17 were provisionally rejected as claiming the same invention as claims 16-17 of U.S. Serial No. 09/182,616. This rejection is respectfully traversed. Claims 16 and 17 have been cancelled from U.S. Serial No. 09/182,616.

Rejections under 35 U.S.C. 112

Claims 16 and 17 were rejected under 35 U.S.C. 112 as indefinite. This rejection is respectfully traversed if applied to the amended claims. The typographical error as to "tumors" has been deleted.

Rejection under 35 U.S.C. 112


Claim 16 was rejected as disclosed under 35 U.S.C. 102(b) by U.S. Patent No. 5,147,638 to Esmon. This rejection is respectfully traversed if applied to the amended claims.

The claims have been amended to recite that the compound binds to the receptor. This distinguishes the antibodies of the Esmon patent, which bind to protein C. However, it should be noted that the antibody of the Esmon patent does not bind to activated protein C, and therefore does not meet the limitation of the claims in any event, since it is the activated protein C that binds to the receptor.

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Allowance of claims 16 and 17 as amended, and new claims 24-30, is therefore
earnestly solicited.

Respectfully submitted,




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CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8a)

I hereby certify that this , along with any paper referred to as being attached or
enclosed, is being facsimile transmitted to the Assistant Commissioner for Patents,
Washington, D.C. 20231, on the date shown below.

Date: November 19, 2001



Jean Hicks

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APPENDIX: Clean Copy of Claims as Amended

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16. (amended) A method for enhancing an inflammatory response involving blocking of protein C or activated protein C binding to an endothelial cell protein C/activated protein C receptor comprising administering to a patient in need of treatment thereof an amount of a compound blocking binding of protein C or activated protein C to the receptor by binding to the endothelial cell protein C/activated protein C receptor.

17. The method of claim 16 wherein the compound is selected from the group consisting of antibodies and fragments of antibodies to the receptor, nucleic acid sequences inhibiting expression of the receptor, and synthetic or natural compounds other than proteins, peptides or nucleic acid sequences which inhibit binding.

24. The method of claim 16 wherein the compound is an antibody or antibody fragment immunoreactive with the receptor.

25. The method of claim 24 wherein the antibody is humanized.

26. The method of claim 16 wherein the compound is labeled.

27. The method of claim 16 wherein the compound is an oligonucleotide.

28. The method of claim 16 wherein the compound is a receptor fragment.

29. The method of claim 16 wherein the compound is combined with a pharmaceutically acceptable carrier.

30. The method of claim 16 wherein the compound is administered in an amount effective to enhance an inflammatory response involving blocking of protein C or activated protein C binding to an endothelial cell protein C/activated protein C receptor.

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